

1 ALAN J. LAZARUS (State Bar No. 129767)  
2 KRISTA L. COSNER (State Bar No. 213338)  
3 DRINKER BIDDLE & REATH LLP  
4 50 Fremont Street, 20<sup>th</sup> Floor  
5 San Francisco, California 94105  
6 Telephone: (415) 591-7500  
7 Facsimile: (415) 591-7510

8 Attorneys for Defendant  
9 SMITHKLINE BEECHAM CORPORATION d/b/a  
10 GLAXOSMITHKLINE and McKESSON  
11 CORPORATION

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 ROSENA PERKINS as Personal  
16 Representative of MATTHEW PERKINS  
17 (Deceased); ANNETTA THRASHER as  
18 Personal Representative of VERNAL  
19 OSENTON (Deceased); WILLIAM  
20 WRIGHT as Personal Representative of  
21 MARY WRIGHT (Deceased); JOAN  
22 MOORE as Personal Representative of  
23 DANNY MOORE (Deceased),

24 Plaintiffs,

25 v.

26 SMITHKLINE BEECHAM  
27 CORPORATION dba  
28 GLAXOSMITHKLINE and McKESSON  
CORPORATION,

Defendants.

Case No. CV-08-2574 WDB

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING DEFENDANT  
McKESSON'S TIME TO RESPOND TO  
COMPLAINT**

1 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,  
 2 that the time within which defendant McKESSON CORPORATION ("McKesson) may  
 3 move, answer, or otherwise respond to Plaintiffs' Complaint shall be governed by the  
 4 Pretrial Orders entered in the multi-district litigation, *In re Avandia Marketing, Sales*  
 5 *Practices and Products Liability Litigation*, MDL 1871 (E.D. Pa.) before the Honorable  
 6 Cynthia M. Rufe, of the United States District Court for the Eastern District of  
 7 Pennsylvania.<sup>1</sup>

8 Pursuant to Local Rule 6-1, stipulations which alter the date of any event or any  
 9 deadline already fixed by the Court require court approval. Although the parties believe  
 10 this stipulation will have no such effect, to the extent that it does, the parties request that  
 11 this Court approve the proposed order below, allowing the time frame for McKesson to  
 12 move, answer, or otherwise respond to Plaintiffs' Complaint to be governed by the  
 13 Pretrial Orders entered in the multi-district litigation, *In re Avandia Marketing, Sales*  
 14 *Practices and Products Liability Litigation*, MDL 1871 (E.D. Pa.).

15 IT IS SO STIPULATED:

16 Dated: June 10, 2008

DRINKER BIDDLE & REATH LLP

17 /s/ Krista L. Cosner

18 KRISTA L. COSNER

19 Attorneys for Defendants  
 20 SMITHKLINE BEECHAM  
 21 CORPORATION d/b/a  
 22 GLAXOSMITHKLINE and  
 23 McKESSON CORPORATION  
 24  
 25  
 26

27 <sup>1</sup> The above-entitled action was tagged for transfer to MDL 1871 and awaits transfer by the Judicial Panel  
 28 on Multidistrict Litigation.

1 Dated: June 10, 2008

THE MILLER FIRM, LLC

2  
3 /s/ David C. Anderson

4 DAVID C. ANDERSEN (Bar No. 194095)

KRISTINA M. GIGSTAD

5 Attorney for Plaintiffs

6 Pursuant to stipulation, IT IS SO ORDERED:

7  
8 Dated: June \_\_, 2008

9  
10 United States District Court, Northern  
District of California